IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.1282 OF 2005
IN
WRIT PETITION NO.8293 OF 2004

Shri Gaur Chandra Basu (deceased)
through his L.Rs -
Smt Kumudini Gaur Chandra Basu.. Applicant
Vs
Smt Ruchira Ashok Sonde, .. Respondent.

Mr R.P.Mudholkar, for the applicant.
Mr M.V.Limaye h/f Mr R.S.Apte, for the respondent.

CORAM : D.B.BHOSALE,J.
DATE : 13.09.2006

PC:

1. Heard the learned counsel for the parties.

2. Leave to amend. The amendment to be carried out forthwith.

3. In this civil application, the applicant has made the following prayer:

> "(a) As the applicant are ready and willing to abide with the undertaking and carry out the work it is necessary that direction be given to respondent to allow the applicant to carry out the necessary changes as per plan annexed by obtaining sanction from Vasant Bahar Co-op Hsg Society and extend the time of four weeks for handing over the possession of suit premises."

Mr. Limaye, learned counsel for the respondent, on instructions from his client who is present in the court, states that the respondent-landlady has no objection for allowing the applicant to construct

Kitchen platform, sink, washing machine outlet, installation of separate electric meter and wooden partition permanently closing the door between the applicant's room and the adjacent room. Mr Limaye, learned counsel for the respondent, submits that the respondent has also no objection for the applicant applying for a separate electric meter. He states that no objection would be, however, subject to necessary permission of the society. The statement of Mr Limaye is accepted. In view of the statement made by Mr Limaye, it is open for the applicant to apply to the society for seeking necessary permission to carry out the aforesaid work. The no objection recorded in this order may be submitted with her application seeking no objection of the society for carrying out the aforesaid work as no objection of the respondent-landlady, if necessary. Similarly, the petitioner may also approach the concerned authority with the copy of this order for getting the separate electric meter for the premises in her possession. It is open for the petitioner to make appropriate application for refund of the amount of Rs.50,000/- paid by her as security deposit before the trial Court. If such an application is filed same may be dealt with in accordance with law. With these observations, this civil application is disposed of.

(D.B.BHOSALE,J.)